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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,957	08/08/2001	Shell S. Simpson	10015146-1	2075

7590 04/02/2004

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EXAMINER

ZHOU, TING

ART UNIT

PAPER NUMBER

2173

2

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	JW
	09/923,957	SIMPSON ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 August 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al. U.S. Publication 2002/0097259.

Referring to claims 1 and 7, Marshall et al. teach a system and program product for web based imaging comprising at least one graphic store for storing a plurality of different graphics (memories material in the Memories Material Library) (page 2, paragraph 0018 and page 3, paragraph 0030 and further shown in Figure 5); a group composition store for storing a plurality of compositions, with each different composition referencing at least one graphic in a graphic store that is external to the group composition store (page 2, paragraph 0018 and 0024 and page 3, paragraph 0028) and including data to place the referenced graphic within the composition (a listing of the various memories products that can be generated is presented to the customer, with each memories product using at least one of the memories material in the Memories Material Library) (page 5, paragraph 0045 and 0047, and page 7, paragraph 0057; this is further shown in

Figure 9); and a plurality of different user profiles, each for a different imaging client, with each user profile including a reference to the group composition store (each customer must be a registered user to access the system; therefore, there is associated a profile including name, email, password, and memories material and product associated with the customer) (page 4, paragraph 0039 and further shown in Figure 6).

Referring to claims 2 and 8, Marshall et al. teach a default graphics store for at least one of the imaging clients, a default composition store for the at least one imaging client, including a composition therein with a reference to a graphic within a graphics store, and wherein the user profile for the at least one imaging client includes a reference to the default graphic store and the default composition store (the artwork making up the style of the memories material and memories product can be retrieved from a library of design elements offered by the system; therefore, the user does not have to create their own artwork, they can use the default artwork and memories product offered by the system) (page 4, paragraph 0036 and further shown in Figure 11).

Referring to claims 3 and 9, Marshall et al. teach one or more of the user profiles including a reference to a default composition within said group composition store (customers can use the default artwork and memories product offered by the system and therefore, the user profile associated with that customer would reference the default artwork and memories product) (page 4, paragraph 0036 and further shown in Figure 11).

Referring to claims 4 and 10, Marshall et al. teach a firewall protecting the plurality of imaging clients (page 2, paragraph 0023) and wherein at least one composition in the group composition store references a graphic outside of the firewall (memories material referenced by

the memories product generated can be from external sources or resident on the customer's terminal equipment) (page 2, paragraph 0018 and 0024).

Referring to claims 5 and 11, Marshall et al. teach the group composition store containing a method that prevent at least selected ones of the imaging clients from deleting or modifying at least one composition in the group composition store (if users do not have an authenticated ID and password, they are prevented from using the system and consequently modifying the material such as memories material and memories products contained in the system) (page 4, paragraph 0042 and continuing onto the top of page 5).

Referring to claims 6 and 12, Marshall et al. teach a web extension that will enumerate compositions stored in the group composition store as available to the imaging client (page 7, paragraph 0057 and page 8, paragraph 0070 and further shown in Figure 9).

2. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods for associating each user with references to particular images within an image database.

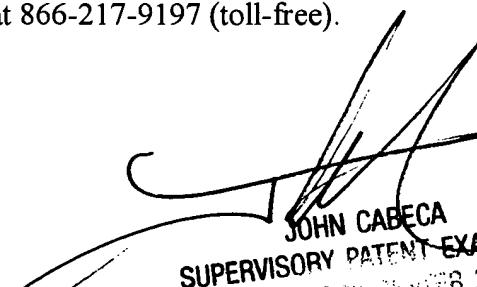
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 23, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100